

AGILENT TECHNOLOGIES, INC.
Legal Department, DL429
Intellectual Property Administration
P. O. Box 7599
Loveland, Colorado 80537-0599

06-21-02

PATENT APPLICATION

ATTORNEY DOCKET NO. 10981620-2

#27



IN THE
UNITED STATES PATENT AND TRADEMARK OFFICE

Anticipated Classification of this application:

Class _____ Subclass _____

Prior application:

Examiner: Sisson, B.

Art Unit: 1655

"Express Mail" label no. EV 036 410 594 US

Date of Deposit June 19, 2002

I hereby certify that this is being deposited with the United States Postal Service "Express Mail Post Office to Addressee" service under 37 CFR 1.10 on the date indicated above and is addressed to: Commissioner for Patents, Washington, D.C. 20231.

By [Signature]

Typed Name: Fidelina TORRES

Box CPA
COMMISSIONER FOR PATENTS
Washington, D.C. 20231

REQUEST FOR A CONTINUED PROSECUTION APPLICATION (CPA) 37 CFR 1.53(d)

Sir:

This is a request for a filing under the continuing application procedure, 37 CFR 1.53(d), for a
☒ continuation
☐ divisional

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JUN 25 2002
TECH CENTER 1600/2900

Prior Application

Application Serial No. 09/398,399 filed Sept. 17, 1999

Title (as originally filed) Techniques for Assessing Nonspecific Binding of Nucleic Acids for Surfaces

Title (as last amended) Arrays Comprising Background Features That Provide For A Measure Of Non-Specific Binding and Methods For Using The Same

Name of applicant(s) Glenda C. Delenstarr

- ☒ The prior application is hereby abandoned.
- ☒ The issue fee in the prior application has not been paid.
- ☒ Please use all the contents of the prior application file wrapper, including the drawings and entered amendments, as the basic papers for the new application.

Foreign Priority - 35 USC 119

- ☐ Foreign priority under 35 U.S.C. 119 has been claimed in prior application Serial No. _____ filed on _____ in _____.
- ☐ The certified copy has been filed in prior application Serial No. _____ filed _____.
- ☐ A separate paper claiming direct priority to a foreign application is enclosed herewith. A certified copy of the foreign application will be provided in due course.

Petition for Extension of Time in Prior Application

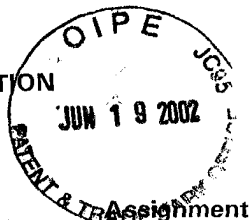
- ☒ A petition for extension of time is enclosed herewith.

06/24/2002 BNGUYEN1 00000027 501078 09398399

01 FC:131 740.00 CH
02 FC:103 234.00 CH
03 FC:102 672.00 CH

CONTINUED PROSECUTION APPLICATION
(CPA) (37 CFR 1.53(d)) (continued)

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- () The prior application is assigned to Agilent Technologies Inc..
() The prior application is assigned to Agilent Technologies Inc. and _____
() The prior application is assigned to _____

Inventorship Statement

- () Delete the following named individuals as inventors in this application in accordance with 37 CFR 1.62(a) as a result of a change in the claimed subject matter:

Declaration and Power of Attorney

- () The Power of Attorney in the prior application is to:

Customer Number 022878

Place Customer
Number Bar Code
Label here

- () The power appears in the original papers in the prior application.
() The power does not appear in the original papers, but was filed on _____
() Recognize as Associate Attorney or Agent _____
Registration No. _____
() Authorization is hereby granted by signature below of the Attorney or Agent of record.
() The Associate Attorney or Agent may not have the authority to appoint other Attorneys or Agents.

Communications

- (X) Address all future communications to:

AGILENT TECHNOLOGIES, INC.
Legal Department, DL429
Intellectual Property Administration
P.O. Box 7599
Loveland, Colorado 80537-0599

Direct telephone calls to:
Gordon M. Stewart
(650) 485-2386

Waiver of Secrecy

It is understood that secrecy under 35 USC 122 is hereby waived to the extent that if information or access is available to any one of the applications in the file wrapper of a CPA application, be it either this application or a prior application in the same file wrapper, the PTO may provide similar information or access to all the other applications in the same file wrapper.

Other Amendments

- () Before calculating the filing fee, amend the prior application as follows:
() Cancel the following claims _____
() Enter the enclosed Preliminary Amendment.
(X) Enter the Amendment(s) under 37 CFR 1.116 dated June 19, 2002
that was unentered in the Prior Application. A copy of the Amendment(s) is (are) enclosed.

CONTINUED PROSECUTION APPLICATION
(CPA) (37 CFR 1.53(d)) (continued)

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Fee Calculation

(X) The filing fee is calculated below for (X) Utility () Design

CLAIMS AS FILED BY OTHER THAN A SMALL ENTITY								
(1) FOR		(2) NUMBER FILED		(3) NUMBER EXTRA		(4) RATE	(5) TOTALS	
TOTAL CLAIMS		33	— 20	13		X \$18	\$ 234	
INDEPENDENT CLAIMS		11	— 3	8		X \$84	\$ 672	
ANY MULTIPLE DEPENDENT CLAIMS		0				\$280	\$ 0	
BASIC FEE: Design (\$330.00); Utility (\$740.00)							\$ 740	
TOTAL FILING FEE							\$ 1,646	
EXTENSION FEE	1ST MONTH		2ND MONTH		3RD MONTH		4TH MONTH	\$ 110
	\$110.00	X	\$400.00		\$920.00			
TOTAL CHARGES TO DEPOSIT ACCOUNT							\$ 1,756	

Charge \$ 1,756 to Deposit Account 50-1078. At any time during the pendency of this application, please charge any fees required or credit any over payment to Deposit Account 50-1078 pursuant to 37 CFR 1.25. Additionally please charge any fees to Deposit Account 50-1078 under 37 CFR 1.16, 1.17, 1.19, 1.20 and 1.21. A duplicate copy of this transmittal letter is enclosed.

Respectfully submitted,

By


Bret Field for Gordon Stewart

Attorney/Agent for Applicant(s)

Reg. No. **37,620**

Date:

Telephone No.: **(650) 485-2386**